IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GHULAM MOHAMMED

WRIT PETITION NO : 5616 of 2005

Between:

1. Al-Ameen Educational Society, 7, Tombs Road, Nadeem Colony,

ToliChowki, Hyderabad Rep. by its Secretary Shahnaz Siddiqui
2 Shahnaz College of Education, D.No. 3-44, Narsapur Village &

Mandal, Medak District rep. by its Correspondent Shahanaz Siddiqui
3 Shahnaz Siddiqui, W/o. Mohd. Khadeeruddin Siddiqui,
R/o. Toli Chowki, Hyderabad - 8.

... PETITIONERS

AND

1 Government of Andhra Pradesh, Rep. by its Principal Secretaryh, School

Education, Secretariat, Hyderabad.
2 Commissioner & Director of School Education, Government of Andhra

Pradesh, Hyderabad.
3 Government of Andhra Pradesh, Rep. by its Principal Secretary,
Minority Welfare Department, Secretariat, Saifabad, Hyderabad.
4 Convenor EDcet 2004, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order, direction more particularly one in the nature of Writ of "Mandamus" declaring the action of the respondents 1 & 3 in not considering the petitioners application for grant of approval and recognition as a minority educational institution in respect of the 2nd petitioner institution for enabling the petitioners to make admission as a minority educational institution for B.Ed course for the academic year 2004-2005 as being illegal, arbitrary and unconstitutional and

consequently direct the respondents to recognize, treat and consider the 2nd petitioner as a minority educational institution for all purposes including for the purposes of admissions and pass such other order or orders as the Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR. S. NIRANJAN REDDY

Counsel for the Respondents: GP for School Education and GP for Social Welfare

The Court made the following:

ORDER: (per Hon'ble Sri Justice Ghulam Mohammed)

The facts of the case are that the 1st petitioner is a Society registered under the provisions of AP (Telangana Area) Public Societies Registration Act, 1350 Fasli formed for the purpose of promoting education by establishment of educational institutions particularly for the benefit of Muslim minority community. It is further stated that the 1st petitioner has established a School at Towli Chowki, Hyderabad, which has been recognized as a minority educational institution. It is further stated that in furtherance of its intent, the 1st petitioner society has proposed to establish the 2nd petitioner-College of Education and accordingly approached the Government of Andhra Pradesh and obtained no objection certificate vide proceedings dated 4-2-2005.

It is further stated that the 1st petitioner approached the respondents 1 and 3 seeking approval for permission and also recognition as a minority educational institution by way of making appropriate application. But the grievance of the petitioner is that the said application is still pending consideration.

Heard the learned counsel for the petitioners and the learned Government Pleader for School Education.

Though it is stated by learned counsel for the petitioner that an application in that behalf was in fact made, learned Government Pleader on the other hand stated that the respondents have not received any such application. No details of the application as to when it was made and to whom are mentioned in the affidavit.

In the circumstances, the 1st petitioner is permitted to make a fresh

application in that behalf and on receipt of the application, the respondents are directed to consider the application and pass appropriate orders thereon within a period of two weeks from the date of receipt of such an application from the petitioner, in accordance with law.

The writ petition is disposed of with the above directions. No costs.

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Ghulam Mohammed, J

Dated: 29th April, 2005

Nrg.

To

1 The Principal Secretary, Government of Andhra Pradesh,

School Education, Secretariat, Hyderabad.
2 Commissioner & Director of School Education, Government of Andhra

Pradesh, Hyderabad.
3 Principal Secretary, Government of Andhra Pradesh,
Minority Welfare Department, Secretariat, Saifabad, Hyderabad.
4 The Convenor EDcet 2004, Hyderabad.

5. Two CCs to Government Pleader for School Education & Social

Welfare.

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